

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Lothar EGGELING et al
 Patent App. 10/520,999
 Filed 6 January 2006 Conf. No. 2791
 For NUCLEOTIDE SEQUENCES THAT ENCODE Deregulated
PHOSPHOGLYCER
 Art Unit 1656 Examiner Gebreyesus, K
 Hon. Commissioner of Patents Allowed: 31 December 2009
 Box 1450
 Alexandria, VA 22313-1450

SUPPLEMENTAL DECLARATION

As below-named inventors, we declare:

That the information given herein is true and that we believe that we are the original, first, and sole inventors of the invention that is described and claimed in the specification and claims of the above-identified application.

That the subject matter of the amendments filed in this application on 1 August 2008, 18 March 2009, 19 October 2009 was part of our invention and was invented before the filing of the above-identified application.

That we do not know and do not believe that the invention was ever known or used in the United States of America before our invention thereof or more than one year prior to this application or, if this application is entitled under 35 USC 120 to the filing date of a predecessor application, more than one year prior to the effective date of such predecessor application.

That the invention has not been patented or made the subject of an inventor's certificate issued before the filing date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application or to the predecessor application and has not been abandoned.

That no application for patent or inventor's certificate on this invention has been filed by us or our legal representatives or assigns in any country foreign to the United States of America prior to the present application, or to this predecessor application except as has been set forth in the Oath or Declaration or any Substitute Oath or Declaration filed in the above-identified application;

That we hereby acknowledge a duty to disclose information of which we are aware and which is material to the examination of this application; and

That we hereby ratify all transactions in the United States Patent and Trademark Office carried out in the prosecution of this application by our attorneys and agents of record and ratify the appointment of our attorneys, Andrew Wilford, Reg. 26,597 and Jonathan Myers, Reg. 28,963, The Firm of Karl F. Ross, P.C., 5683 Riverdale Avenue, Box 900, Bronx, NY 10471-0900, Tel. (718) 694-6900.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 2010-01-18

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Date: 2010-04-16

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